



**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR RESOURCES**

OPERATING PERMIT

Pearson Composites, LLC

PERMIT NO. RI-39-04(R1)

(Expiration date: April 7, 2009)

Pursuant to the provisions of Air Pollution Control Regulation No. 29, this operating permit is issued to:

Pearson Composites, LLC
373 Market Street
Warren, RI 02885-0328

This permit shall be effective from the date of its issuance. All terms and conditions of the permit are enforceable by EPA and citizens under the federal Clean Air Act, 42 U.S.C. 7401, et seq., unless specifically designated as not federally enforceable.

**Stephen Majkut, Chief
Office of Air Resources**

Date of revision: 10/25/04

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SECTION I. SOURCE SPECIFIC CONDITIONS**A. Requirements for Emission Units P001, P002, P007, P008, P009, P010, P012, P013 and P015**

The following requirements are applicable to:

- Emission Unit P001, which are the resin operations that include open molding and closed molding processes. These operations are conducted throughout the facility.
- Emission Units P002, P007, P008, P009, P010, P012, P013 and P015, which are custom-made, gel coating booths.
- Emission Units P001, P002, P007, P008, P009, P010, P012, P013 and P015 are used to manufacture reinforced plastic composites and fiberglass boats or boat parts.

1. Emission Limitations

- a. Vinyl ester resins used in P001 shall not have a VOC content greater than 50% by weight, as applied. [Consent Agreement 01-05-AP(8)(E)]
- b. Polyester resins used in P001 shall not have a VOC content greater than 45% by weight, as applied. [Consent Agreement 01-05-AP(8)(F)]
- c. Tooling resins used in P001 shall not have a VOC content greater than 55% by weight, as applied. [Consent Agreement 01-05-AP(8)(G)]
- d. White gel coats used in P002, P007, P008, P009, P010, P012, P013 and P015 shall not have a VOC content greater than 36% by weight as applied. [Consent Agreement 01-05-AP(8)(C)]
- e. Pigmented gel coats used in P002, P007, P008, P009, P010, P012, P013 and P015 shall not have a VOC content greater than 50% by weight as applied. [Consent Agreement 01-05-AP(8)(D)]
- f. The maximum percentage of catalyst used in polyester resin, vinyl ester resin, or gel coat shall not exceed 2% by weight, as applied. [Consent Agreement 01-05-AP(8)(H)]
- g. Vinyl ester resin shall not have a VOC content greater than 50% by weight, as applied. Vinyl ester resin used in a corrosion proof laminate may be applied by spray lay-up. All other vinyl ester resin must be applied in a closed molding process, or by roller. [Consent Agreement 01-05-AP(8)(E)]

2. Operating Requirements

- a. Spray guns shall be airless, air assist, flow-coaters, or have high volume low pressure (HVLP) spray heads. [Consent Agreement 01-05-AP (8)(A)]
- b. Vinyl ester resin used in the corrosion-proof laminate may be applied by spray lay-up. All other vinyl ester resin must be applied in a closed molding process, or by roller. [Consent Agreement 01-05-AP (8)(B)]

3. Recordkeeping Requirements

- a. The permittee shall demonstrate compliance with the production requirements in Conditions I.A.1.a-f and I.A.3.b of this permit by maintaining the following records on a monthly and yearly basis: [Consent Agreement 01-05-AP (8)(I)]
 - (1) For each product used in P001, P002, P007, P008, P009, P010, P012, P013 and P015 the product name and identification number; manufacturer name; quantity used; total VOC content of product; as applied VOC content; VOC emissions totals for each polyester resin, vinyl ester resin, gel coat or catalyst; and the total amount of catalyst used as a percent of the total amount of polyester resin, vinyl ester resin and gel coat used. [Consent Agreement 01-05-AP (8)(I)(a)]
 - (2) Monthly records will be available by the 15th day of the month following the compliance period. [Consent Agreement 01-05-AP (8)(I)(b)]
 - (3) Yearly records will be available by January 30th of the year following the compliance period. [Consent Agreement 01-05-AP (8)(I)(c)]
- b. The permittee shall continue to calculate the maximum potential VOC emissions from the closed molding process (SCRIMP®) as 0.5% of the total VOC content, by weight, as applied. [Consent Agreement 01-05-AP(8)(B)]

B. Requirements for Emission Units P003, P011 and P016

The following requirements are applicable to:

- Emission Units P003 and P011, each of which are custom made wood finishing booths, equipped with spray guns, used to apply varnish to wooden parts.
- Emission Unit P016, which are the gluing operations including adhering vinyl fabric to plywood and laminating wooden veneers. The gluing operations are conducted in the Carpentry Shop and the Stock Room, and may be conducted in random locations

throughout the facility, as needed.

- Emission Units P003, P011 and P016 constitute the wood products manufacturing operations that take place at the facility.

1. Emission Limitations

- a. The permittee shall limit VOC emissions from P003 and P011 by:
[35.3.1(a)]

- (1) Using finishing materials which comply with the emissions limitations in pounds of VOC per gallon of coating minus water and exempt compounds listed in the following table, or:
[35.3.1(a)(1)]

Table 1: Emissions Limitations for Finishing Materials
[35.3.1(Table 2), Consent Agreement 01-05-AP (10)]

COATING CATEGORY	lbs VOC/gal coating minus water and exempt compounds
Clear topcoats containing HOC	4.6
Clear topcoats not containing HOC	5.7
Fillers	4.2
High-solids stains	5.8
Low-solids stains, toners and washcoats containing HOC	4.0
Low-solids stains, toners and washcoats not containing HOC	5.9
Inks	4.2
Multi-colored coatings	5.7
Pigmented coatings	5.0
Sealers containing HOC	4.6
Sealers not containing HOC	5.7

- (2) Using finishing materials with a weighted average VOC content, within a particular category of coatings as identified in Table 1 of this permit, which conforms with the provisions specified in Condition I.B.3.b(1) of this permit; or [35.3.1(a)(3)]
- (3) Using a combination of the methods presented in Conditions I.B.1.a(1) and I.B.1.a(2) of this permit which is approved by the Office of Air Resources. [35.3.1(a)(4)]

- b. The permittee shall use topcoats containing no more than 1.8 lbs VOC/lb solids, as applied, and sealers containing no more than 1.9 lbs VOC/lb solids, as applied. [35.3.1(b)(1)]
- c. The permittee shall use waterborne topcoats with a VOC content no greater than 0.8 lb VOC/lb solids, as applied. [35.3.1(b)(2)]
- d. The permittee shall limit VHAP emissions from wood products finishing operations by: [35.3.2(a)]
 - (1) Using stains, washcoats, sealers, topcoats, basecoats, and enamels with VHAP contents no higher than 1.0 lb VHAP/lb solids, as applied; thinners for stains, sealers, and topcoats that contain no more than 10% VHAP by weight; and thinners for washcoats, basecoats, and enamels that contain no more than 3% VHAP by weight; or [35.3.2(a)(1)]
 - (2) Using finishing materials with a weighted average VHAP content of no greater than 1.0 lb. VHAP/lb. solids, as applied, calculated using the procedures in Condition I.B.3.b(2) of this permit, and thinners with VHAP contents as specified in Condition I.B.1.d(1) of this permit; or [35.3.2(a)(2)]
 - (3) Using a combination of the methods presented in Conditions I.B.1.d(1) and I.B.1.d(2) of this permit which is approved by the Office of Air Resources. [35.3.2(a)(4)]
- e. The permittee shall not use any strippable booth coating in P003 or P011 with more than 0.8 lb VOC/lb solids, as applied. [35.4.1]
- f. The permittee shall limit VHAP emissions from contact adhesives used in P016 as follows: [35.4.2]
 - (1) For foam adhesives used in products that meet the upholstered seating flammability requirements of California Technical Bulletin 116, 117, or 133, the Business and Institutional Furniture Manufacturers Association's (BIFMA's) X5.7, UFAC flammability testing, or any similar requirements from local, State, or Federal fire regulatory agencies, the VHAP content of the adhesive shall not exceed 1.8 lb VHAP/lb solids, as applied; [35.4.2(a)]
 - (2) For all other contact adhesives, including foam adhesives used in products that do not meet the standards presented in Condition I.B.1.f(1) of this permit, the VHAP content of the adhesive shall not exceed 1.0 lb VHAP/lb solids, as applied. [35.4.2(b)]

- g. The permittee shall not use cleaning or washoff solvents that contain any of the pollutants listed in Table 3 of Air Pollution Control Regulation No. 35 – Control of Volatile Organic Compounds and Volatile Hazardous Air Pollutants From Wood Products Manufacturing Operations in concentrations greater than 0.1%. [35.5.4(b)]

2. Operating Requirements

a. Work Practice Implementation Plan

- (1) The permittee shall prepare and maintain a written work practice implementation plan that defines work practices for each wood products manufacturing operation and addresses each of the topics specified in Conditions I.B.1.g and I.B.2.b through I.B.2.f: [35.5.1(a)]
- (2) The permittee shall comply with each provision of the work practice implementation plan. [35.5.1(c)]
- (3) The work practice implementation plan shall be available for inspection by the EPA or the Office of Air Resources upon request and shall be modified by the permittee if found to be inadequate. [35.5.1(d)]

b. Operator Training Course

- (1) The permittee shall train all new and existing personnel, including contract personnel, who are involved in finishing, gluing, cleaning, or washoff operations, use of manufacturing equipment, or implementation of the requirements of Air Pollution Control Regulation No. 35. [35.5.2(a)]
- (2) All personnel shall be trained upon hiring. All personnel shall be given refresher training annually. [35.5.2(b)]
- (3) Initial and refresher training shall include, at a minimum, the following topics: [35.5.2(c)]
 - (a) Appropriate application techniques; [35.5.2(c)(1)]
 - (b) Appropriate cleaning and washoff procedures; [35.5.2(c)(2)]
 - (c) Appropriate equipment setup and adjustment to minimize finishing material usage and overspray; and [35.5.2(c)(3)]
 - (d) Appropriate management of cleanup wastes. [35.5.2(c)(4)]

c. Equipment Leak Inspection and Repair

- (1) All equipment used to transfer or apply finishing materials, adhesives, or organic solvents shall be visually inspected for leaks at least once per month. [35.5.3(a)(1)]
- (2) A first attempt at repair shall be made no later than 3 calendar days after a leak is detected and final repairs shall be made within 10 calendar days, unless the leaking equipment is to be replaced by a new purchase, in which case repairs shall be completed within 3 months. [35.5.3(a)(2)]
- (3) The permittee shall prepare and maintain a written leak inspection and maintenance plan that includes: [35.5.3(a)(3)]
 - (a) A schedule for conducting visual inspections required in Condition I.B.2.c(1); and [35.5.3(a)(3)(i)]
 - (b) A log documenting the date and results of each inspection and any repairs that are made. [35.5.3(a)(3)(ii)]

d. Operation and Maintenance Requirements

- (1) At all times, including periods of startup, shutdown, and malfunction, the permittee shall operate and maintain any equipment associated with wood products manufacturing operations, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions. [35.5.3(b)(1)]
- (2) Malfunctions shall be corrected as soon as practicable after their occurrence in accordance with the startup, shutdown, and malfunction plan required in Condition I.B.2.d(4) of this permit. [35.5.3(b)(2)]
- (3) The Office of Air Resources will determine whether acceptable operation and maintenance procedures are being used, based on information which may include, but is not limited to, monitoring results, review of operation and maintenance procedures (including the startup, shutdown, and malfunction plan required in Condition I.B.2.d(4) of this permit), review of operation and maintenance records, and inspection of the facility. [35.5.3(b)(3)]

- (4) The permittee shall develop and implement a written startup, shutdown, and malfunction plan that describes, in detail, the procedures for operating and maintaining equipment associated with wood products manufacturing operations during periods of startup, shutdown, and malfunction and a program of corrective action for malfunctioning process and air pollution control equipment used to comply with this regulation. The facility's standard operating procedures (SOP) manual, an Occupational Safety and Health Administration (OSHA) or another plan can be used to fulfill this requirement, provided the plan meets all the requirements of this paragraph. Startup, shutdown, and malfunction plans shall be maintained at the facility and made available to the Office of Air Resources or the EPA for review upon request and shall be revised if determined to be unacceptable. [35.5.3(b)(4)]
- (5) During periods of startup, shutdown, and malfunction, the permittee shall operate and maintain equipment associated with wood products manufacturing operations (including associated air pollution control equipment) in accordance with the procedures specified in the startup, shutdown, and malfunction plan developed according to the provisions of Condition I.B.2.d(4) of this permit. [35.5.3(b)(5)]
- (6) If a malfunction occurs that was not adequately addressed in the startup, shutdown, and malfunction plan, the permittee shall revise the plan within 45 days after the event to include detailed procedures for operating and maintaining the source during similar malfunction events and a program of corrective action for similar malfunctions of process or air pollution control equipment. [35.5.3(b)(8)]

e. Storage Requirements

All finishing, gluing, cleaning, and washoff materials shall be stored in containers that are closed at all times except when material is being added or removed. [35.5.6]

f. Application Equipment Requirements

- (1) Conventional air spray guns shall not be used to apply finishing materials, except in the following situations: [35.5.7]
 - (a) When applying finishing materials that have a VOC content no greater than 1.0 lb. VOC/lb. solids, as applied; [35.5.7(b)]

- (b) Touch-up or repair that occurs after the completion of a finishing operation; [35.5.7(c)]
- (c) Touch-up or repair that occurs after the stain and before any other type of finishing material is applied, provided that the touch-up finishing materials are applied from a container that has a volume of no more than 2.0 gallons; [35.5.7(d)]
- (d) If the spray gun is triggered automatically, not manually; [35.5.7(e)]
- (e) If the emissions from the finishing application station are directed to a control device; [35.5.7(f)]
- (f) For application of a finishing material if the total usage of that finishing material is no more than 5.0 percent of the total gallons of all finishing materials used at that facility during that semi-annual reporting period, as specified in Condition I.B.5.c(1) of this permit; or [35.5.7(g)]
- (g) The application of stain on a part for which it is technically or economically infeasible to use any other spray application technology. The permittee must demonstrate technical or economic infeasibility by submitting documentation to the Office of Air Resources that the following criteria, either independently or in combination, are met: [35.5.7(h)]
 - (i) The production speed is too high or the part shape is too complex for one operator to coat the part and the application station is not large enough to accommodate an additional operator; or [35.5.7(h)(1)]
 - (ii) The excessively large vertical spray area of the part makes it difficult to avoid sagging or runs in the stain. [35.5.7(h)(2)]

g. Formulation Assessment Plan

- (1) The permittee shall prepare and maintain a formulation assessment plan that: [35.5.11]
 - (a) Lists all the VHAP from APC Regulation 35, Table 1, that are being used in P003 and P011. [35.5.11(a)]

- (b) Establishes a baseline level of usage by the facility for each VHAP as follows: [35.5.11(b)]
 - (i) The baseline usage level shall be the annual usage from calendar year 1994 for each VHAP. [35.5.11(b)(1)]
 - (ii) For formaldehyde, the baseline level of usage shall be based on the amount of free formaldehyde present in the finishing material when it is applied. [35.5.11(b)(2)]
 - (iii) The baseline levels for a VHAP that was not used in 1994 shall be established as 20% of the Reportable Quantity for that substance specified in Table III of APC Regulation 22. [35.5.11(b)(5)]
- (c) Tracks the annual usage of each VHAP used by the facility. [35.5.11(c)]

3. Testing Requirements

a. Compliance Using Compliant Coatings

- (1) Compliance with the emissions limitations in Conditions I.B.1.a-f of this permit shall be demonstrated by the following methods: [35.6.1]
 - (a) Maintaining Certified Product Data Sheets (CPDS) documenting that the VOC and/or VHAP content of each topcoat, filler, stain, toner, ink, multi-colored coating, pigmented coating, sealer, washcoat, enamel, basecoat, thinner, adhesive and strippable booth coating meets the applicable emissions limitations in Conditions I.B.1.a-f of this permit in lb VOC/gallon of coating or lb VHAP/lb of solids; and [35.6.1(a)]
 - (b) Maintaining formulation data and related calculations showing that the VOC and VHAP content of each topcoat, filler, stain, toner, ink, multi-colored coating, sealer, washcoat, enamel, basecoat, adhesive, and strippable booth coating diluted onsite, as applied, meets the applicable emissions limitations in Conditions I.B.1.a-f of this permit in lb VOC/gallon of coating or lb VHAP/lb of solids. [35.6.1(b)]

- (c) The Office of Air Resources or EPA will determine compliance either by reviewing the records specified in Conditions I.B.3.a(1)(a) and I.B.3.a(1)(b) of this permit or by conducting a performance test according to the specifications in Condition I.B.3.c of this permit. If the VOC or VHAP content of a coating determined by a performance test using the procedures specified in Condition I.B.3.c of this permit is greater than that indicated on a CPDS or by the facility's formulation or viscosity data, the performance test results shall govern.
[35.6.1(d)]

b. Compliance Using Averaging

- (1) The permittee shall, each week, to demonstrate compliance with the VOC emission limitations in Conditions I.B.1.a-c of this permit for a particular coating category through the use of averaging:
[35.6.2(a)]
- (a) Calculate the average VOC content for all coatings in that category used at the facility using the following equation:
[35.6.2(a)(1)]

$$E_{VOC} = (\sum_{i=1}^n V_i C_i) / \sum_{i=1}^n V_i$$

Where:

E_{VOC} = the average VOC content of coatings in a particular coating category, in lb VOC/gal coating, as applied;

C = the VOC content of a coating in the coating category, in lb VOC/gal coating minus water and exempt compounds, as applied;

i = subscript denoting an individual coating;

V = the volume of coating, in gallons, as applied, of a particular coating in the coating category used during the weekly averaging period;

- (b) Demonstrate that the value calculated for E_{VOC} is no greater than 0.9 times the emission limitation, in lbs VOC/gallon coating minus water and exempt compounds, as applied, for that coating category, as listed in Table 1 of this permit. [35.6.2(a)(2)]

- (2) The permittee shall, each month, to demonstrate compliance with the VHAP emission limitations in Condition I.B.1.d of this permit through the use of averaging: [35.6.2(b)]

- (a) Calculate the average VHAP content for all finishing materials used at the facility using the following equation: [35.6.2(b)(1)]

$$E_{VHAP} = (\sum_{i=1}^n M_i C_i + \sum_{i=1}^n S_i W_i) / \sum_{i=1}^n M_i$$

Where:

E_{VHAP} = the average VHAP content of finishing materials, in lb VHAP/lb solids;

C = the VHAP content of a coating, in lb VHAP/lb solids, as applied;

i = subscript denoting an individual coating;

M = the mass of solids, in pounds, in a particular finishing material used during the monthly averaging period;

S = the VHAP content of a solvent, expressed as a weight fraction, added to finishing materials; and

W = the amount of solvent, in pounds, added to finishing materials during the monthly averaging period.

- (b) Demonstrate that the value calculated for E_{VHAP} is no greater than 1.0 if the facility is complying with Condition I.B.1.d of this permit. [35.6.2(b)(2)]

c. Performance Test Methods

(1) VOC and Solids Content

- (a) VOC and solids content, by weight, of coatings shall be demonstrated with EPA Method 24 or an alternative procedure approved by EPA and the Office of Air Resources. Sampling procedures shall follow the guidelines presented in "Standard Procedures for Collection of Coating and Ink Samples for VOC Content Analysis by Reference Method 24 and Reference Method 24A," EPA-340/1-91-010. [35.8.1(a)]
- (b) The permittee of a facility that uses a finishing material that does not release VOC reaction byproducts during the cure; for example, if all VOC is solvent; may request permission to use batch formulation information to demonstrate compliance. If the VOC content of a coating determined by an EPA Method 24 test is greater than that indicated by the facility's formulation data, the EPA Method 24 test shall govern. [35.8.1(b)]

(2) VHAP and Solids Content

- (a) EPA Method 311 of Part 63, Appendix A, or an alternative method, if approved by EPA and the Office of Air Resources, shall be used in conjunction with formulation data to determine the VHAP content of the liquid coating. Formulation data shall be used to identify VHAP present in the coating and Method 311 or an approved alternative method shall be used to quantify the VHAP identified through the formulation data. EPA method 311 shall not be used to quantify VHAP such as styrene and formaldehyde that are emitted during the cure. [35.8.2(a)]
- (b) EPA Method 24 (40 CFR part 60) shall be used to determine the solids content by weight and the density of coatings for the purpose of showing compliance with VHAP emission limitations. [35.8.2(b)]
- (c) The permittee of a facility that uses a finishing material that does not release VOC or VHAP byproducts during the cure; for example, if all VOC and VHAP present in the coating is solvent; may request permission to use batch formulation information to demonstrate compliance. [35.8.2(c)]

- (d) If the VOC content of a coating as determined by EPA Method 24/311 test is higher than that indicated by a facility's formulation data, the EPA Method 24/311 test shall govern, unless the facility can demonstrate to the satisfaction of the Office of Air Resources that formulation data are correct. [35.8.2(d)]
 - (e) Sampling procedures shall follow the guidelines presented in "Standard Procedures for Collection of Coating and Ink Samples for VOC Content Analysis by Reference Method 24 and Reference Method 24A," EPA-340/1-91-010. [35.8.2(e)]
- d. The formaldehyde content of a finishing material shall be calculated as the amount of free formaldehyde present in the finishing material when it is applied. [35.3.2(b)]

4. Recordkeeping Requirements

- a. The permittee shall maintain the following records: [35.7.1]
 - (1) A certified product data sheet (CPDS) for each finishing material, thinner, adhesive, and strippable booth coating subject to the emission limitations in Section I.B.1 of this permit. [35.7.1(a)]
 - (2) As applicable, the VOC content in lb VOC/gallon of coating, as applied and the VHAP content, in lb VHAP/lb of solids, as applied, of each coating subject to the emission limitations in Section I.B.1 of this permit and copies of calculations documenting how the as-applied values were determined. The VOC content of strippable booth coatings shall be expressed in units of lb VOC/lb solids, as applied. [35.7.1(b)]
 - (3) The amount and type of each coating and thinner used at the facility each month. [35.7.1(c)]
 - (4) If viscosity measurements are used to track VOC and/or VHAP concentrations: [35.7.1(d)]
 - (a) Records of dates and results of viscosity measurements. [35.7.1(d)(2)]
 - (b) Data demonstrating that viscosity is an appropriate parameter for demonstrating compliance. [35.7.1(d)(3)]

- b. The permittee shall, if using weekly averaging to comply with the VOC emissions limitations in Conditions I.B.1.a-c of this permit or monthly averaging to comply with the VHAP emissions limitations in Condition I.B.1.d of this permit, maintain the calculations of E_{VOC} and E_{VHAP} required in Condition I.B.3.b of this permit for a period of 5 years. [35.7.2]
- c. The permittee shall maintain onsite the work practice implementation plan and shall maintain onsite all records associated with fulfilling the requirements of that plan, as specified in Conditions I.B.2.b-e, including, but not limited to: [35.7.4]
 - (1) Records demonstrating that the operator training program is in place; [35.7.4(a)]
 - (2) Records maintained in accordance with the equipment leak inspection and maintenance plan and startup, shutdown, and malfunction plan; [35.7.4(b)]
 - (3) Records associated with the limitation on the use of conventional air spray guns showing total finishing material usage and the percentage of finishing materials applied with conventional air spray guns for each reporting period; [35.7.4(d)]
 - (4) Records associated with the formulation assessment plan; [35.7.4(e)]
 - (5) A copy of logs and other documentation developed to demonstrate that the provisions of the work practice implementation are followed; and [35.7.4(g)]
 - (6) A copy of the compliance certifications, and periodic reports submitted in accordance with the requirements of Condition I.B.5.c of this permit. [35.7.4(h)]
- d. The facility shall maintain records of the training program as specified in Condition I.B.2.b of this permit. Records shall include, at a minimum, the following: [35.5.2(d)]
 - (1) A list of all current personnel by name and job description who are required to be trained and a record of the date that each employee was trained; [35.5.2(d)(1)]
 - (2) An outline of the subjects covered in the initial and refresher training for each position, or group of personnel; [35.5.2(d)(2)]

- (3) Lesson plans for courses to be given at the initial and the annual refresher training that include, at a minimum, the topics specified in Condition I.B.2.b(3); and [35.5.2(d)(3)]
 - (4) A description of the methods to be used to demonstrate successful completion of initial and refresher training. [35.5.2(d)(4)]
- e. The permittee shall keep records of action taken during startups, shutdowns, and malfunctions, including actions taken to correct malfunctions and shall certify, in the semi-annual reports required in Condition I.B.5.c(1-7) of this permit, that all such actions were consistent with the procedures specified in the facility's startup, shutdown and malfunction plan developed under Condition I.B.2.d(4) of this permit. [35.5.3(b)(6)]
- f. If actions taken by the permittee during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) are not consistent with the procedures specified in the facility's startup, shutdown, and malfunction plan, the permittee shall record the actions taken. [35.5.3(b)(7)]

5. Reporting Requirements

- a. If, beginning with the calendar year 1998, the usage of a VHAP in any year exceeds its baseline level, then the permittee shall provide a written notification to the Office of Air Resources by 31 January of the following year that specifies the amount of the increase and explains the reasons for the increase. The Office of Air Resources will determine whether the increase would cause an exceedance of the Acceptable Ambient Levels specified in Air Pollution Control Regulation No. 22. If APC Regulation No. 22 limits are exceeded, the Office of Air Resources will develop a timetable for the facility to achieve compliance and a schedule for submitting notification of progress. [35.5.11(d), 22.3.3(a)]
- b. If actions taken by the permittee during a startup, shutdown, or malfunction (including an action taken to correct a malfunction) are not consistent with the procedures specified in the facility's startup, shutdown, and malfunction plan, the permittee shall report such actions to the Office of Air Resources within 2 working days after beginning actions inconsistent with the plan, followed by a letter within 7 working days after the end of the event. [35.5.3(b)(7)]
- c. The permittee shall submit periodic reports to the Office of Air Resources according to the following specifications: [35.7.7]

- (1) Periodic reports shall be submitted semi-annually by 1 February of each year for the reporting period of 1 July through 31 December of the previous year and by 1 September for the reporting period of January 1 through June 30, which include the following: [35.7.7(a)]
 - (a) The amount and type of VOC and VHAP in each coating used at the facility during the reporting period, [35.7.7(a)(1)]
 - (b) A compliance certification, as specified in Conditions I.B.5.c(2)-(5) of this permit, and [35.7.7(a)(2)]
 - (c) Documentation of progress made during the reporting period toward reducing the VOC and VHAP content of coatings used at the facility. [35.7.7(a)(3)]
- (2) If the permittee is using compliant coatings to comply with the emission limitations in Conditions I.B.1.a-f of this permit, periodic reports shall state that the VOC and VHAP content of each topcoat, filler, stain, toner, ink, multi-colored coating, pigmented coating, sealer, washcoat, enamel, basecoat, thinner, adhesive and strippable booth coating used each day at the facility was in compliance with applicable limitations in those conditions throughout the reporting period, or should identify periods of noncompliance and the reasons for noncompliance. [35.7.7(b)]
- (3) If the permittee is complying with the VOC emissions limitations in Conditions I.B.1.a-d of this permit using averaging, the periodic report shall include the results of the VOC averaging calculation for each week in the reporting period and shall certify that the permittee was in compliance with the applicable emission limitations in all weeks during that period, or identify the weeks that these limitations were exceeded and give reasons for those exceedances. [35.7.7(d)]
- (4) If the permittee is complying with the VHAP emissions limitations in Conditions I.B.1.a-d of this permit using averaging, the periodic report shall include the results of the VHAP averaging calculation for each month in the reporting period and shall certify that the permittee was in compliance with the applicable emission limitations in all months during that period, or identify the months that these limitations were exceeded and give reasons for those exceedances. [35.7.7(e)]

- (5) Periodic reports shall include a statement certifying that the work practice implementation plan and startup, shutdown, and malfunction plan were followed throughout the reporting period, or otherwise identify the periods of noncompliance with the work practice standards. [35.7.7(g)]
- (6) The periodic report shall be signed by a responsible official of the company that owns or operates the facility. [35.7.7(h)]
- (7) If an exceedance occurs, periodic reports must be submitted quarterly until a request to reduce the reporting frequency has been approved. Submittal frequencies may be reduced to semi-annual provided that the following conditions have been satisfied: [35.7.7(i)]
 - (a) The facility has demonstrated a full year of compliance without an exceedance; and [35.7.7(i)(1)]
 - (b) The permittee continues to comply with the recordkeeping and monitoring requirements specified in this regulation. [35.7.7(i)(2)]

6. Other Requirements

- a. Wherever the term Volatile Organic Compound or VOC is used throughout Sections I.B of this permit, this term should be read as Volatile Organic Compound and Halogenated Organic Compound or VOC and HOC. [35.2.3]
- b. The permittee may be required, at the discretion of the Office of Air Resources, to undergo a review every two years to determine whether the limitations in Conditions I.B.1.a and I.B.1.b-c of this permit represent Reasonably Available Control Technology (RACT) for P003 and P011 at that time. The permittee shall comply with emissions limitations determined to be RACT within one year of that determination and shall thereafter operate in compliance with those limitations. [35.3.1(c)]

C. Requirements for Emission Unit P004

The following requirements are applicable to:

- Emission unit P004, which is the urethane foam spraying process, performed throughout the building, used to fill in the stringers for boat hulls.

1. Emission Limitations

- a. The emission rate of methylene bisphenyl isocyanate (MDI) shall not exceed 0.07 pounds per day. [Air Toxics Approval No. 1525/99(B)(4)] **[Not Federally Enforceable]**

2. Operating Requirements

- a. MDI shall be used only in the production of urethane foam and in glue products. [Air Toxics Approval No. 1525/99(B)(3)] **[Not Federally Enforceable]**

3. Recordkeeping Requirements

- a. The permittee shall maintain the following records on an annual basis: [Air Toxics Approval No. 1525/99(C)(1)] **[Not Federally Enforceable]**
 - (1) The amount of MDI-containing “Part A” reactant that is purchased. [Air Toxics Approval No. 1525/99(C)(1)(d)] **[Not Federally Enforceable]**
- b. The permittee shall record daily use of MDI-containing reactant and create a printed copy of the data on a monthly basis: [Air Toxics Approval No. 1525/99(C)(2)] **[Not Federally Enforceable]**
 - (1) The amount of MDI-containing “Part A” reactant that is used in the production of urethane foam on a daily basis; and [Air Toxics Approval No. 1525/99(C)(2)(a)] **[Not Federally Enforceable]**
 - (2) Estimates on the amount of MDI that is emitted to the atmosphere using an emission factor of 0.06% of the combined mass of the “Part A” and “Part B” reactants that are used to make urethane foam. [Air Toxics Approval No. 1525/99(C)(2)(b)] **[Not Federally Enforceable]**

4. Reporting Requirements

- a. The permittee shall submit the maximum daily MDI emission estimates as part of its annual air pollution inventory report. [Air Toxics Approval No. 1525/99(D)(2)] **[Not Federally Enforceable]**

D. Requirements for Emission Units P005 and P014

The following requirements are applicable to:

- Emission unit P005, which is the Carpentry Shop. Processes include cutting, planing, and sanding boat interiors and other similar products. Emissions from P005 are controlled by air pollution control device C005, which is a Dust Hog Multiclone, Model Number SBD-24-3-H55.
- Emission unit P014, which is the Sanding Area where vacuum assisted hand held tools, including dual action sanders, are used in the production of fiberglass units. Emissions from P014 are controlled by air pollution control devices C015, C016, and C017. C015 is a Spencer Single Cyclone. C016 and C017 are each Hoffman Single Cyclones.

1. Emission Limitations

a. Opacity

The permittee shall not emit into the atmosphere, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]

2. Operating Requirements

- a. C005, C015, C016, and C017 shall be operated according to their design specifications whenever P005 and P014 are in operation or are emitting air contaminants. [16.1]
- b. In the case of malfunction of C005, C015, C016, and/or C017, all reasonable measures shall be taken to assure resumption of the designed control efficiency as soon as possible. In the event that the malfunction of C005, C015, C016, and/or C017 is expected or may reasonably be expected to continue for longer than 24 hours and if the permittee wishes to operate P005 and/or P014 beyond that period, the Director shall be petitioned for a variance under Section 23-23-15 of the General Laws of Rhode Island, as amended. Such petition shall include, but is not limited to, the following: [16.2]
 - (1) Identification of the specific air pollution control system (i. e., C005, C015, C016, and/or C017) and the source on which it is installed; (i. e., P005 and P014), [16.2(a)]
 - (2) The expected period of time that C005, C015, C016, and/or C017 will be malfunctioning or out of service; [16.2(b)]

- (3) The nature and quantity of air contaminants likely to be emitted during said period, [16.2(c)]
- (4) Measures that will be taken to minimize the length of said period, and [16.2(d)]
- (5) The reasons that it would be impossible or impractical to cease the source operation during said period. [16.2(e)]

3. Monitoring Requirements

- a. The permittee shall observe any visible emissions that are present around control devices C005, C015, C016, and C017 whenever P005 and P014 are in operation. [29.6.3(b)]

4. Testing Requirements

- a. Opacity

Tests for determining compliance with the opacity limitations specified in condition I.D.1.a of this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1,1.3.2]

5. Recordkeeping Requirements

- a. The permittee shall check the pressure drop across C005, C015, C016, and C017 a minimum of once per day and the date, time and a measurement shall be recorded. [29.6.3(b)]

E. Requirements for Emission Unit P017

The following requirements are applicable to:

- Emission unit P017, which are the Research and Development operations. Research and Development operations are defined as those which include research on new resins, gel coats, catalysts, manufacturing processes and products. New designs of existing product lines using conventional materials are not new products under this definition. The end use of research and development is not for traditional retail sale, but for use in creating samples, prototypes and products that are made for the purpose of testing. This may include, but is not limited to, tests such as crash or impact tests where the sample, prototype or product may or may not be destroyed, or wear tests during which the sample, prototype or product may be tested for extended periods in support of warranty offers or other claims.

1. Recordkeeping Requirements

- a. The permittee shall maintain the following records on a monthly and yearly basis: [Consent Agreement 01-05-AP(7)(B)]
 - (1) For each product used in R&D operations, the product name and identification number; manufacturer name; quantity used; total VOC content of product; as applied VOC content; and VOC emissions for each polyester resin, vinyl ester resin, gel coat or catalyst. [Consent Agreement 01-05-AP(7)(B)(1)]
 - (2) Monthly records shall be available by the 15th day of the month following the compliance period. [Consent Agreement 01-05-AP(7)(B)(2)]
 - (3) Yearly records will be available by January 30th of the year following the compliance period. [Consent Agreement 01-05-AP(7)(B)(3)]

2. Other Requirements

- a. Materials used for research and development (R&D) are exempt from compliance with the VOC maximums listed in Consent Agreement 01-05-AP for production chemicals and the requirement that certain application methods or tools be used for gel coat and resin application. [Consent Agreement 01-05-AP(7)(B)]

F. Requirements for Emission Unit P018

The following requirements are applicable to:

- Emission unit P018, which consist of the cleaning operations where acetone is used to clean tools and equipment used in the fiberglass boat manufacturing operations.

There are no specific requirements for P018. This does not relieve the permittee from compliance with the General Provisions, outlined in Section II of this permit, as they apply to P018.

G. Facility Requirements

1. Emission Limitations

- a. The emissions of styrene shall not exceed 80,000 pounds per year. [Air Toxics Approval No. 1525/99(B)(2)] [**Not Federally Enforceable**]

2. Operating Requirements

- a. The permittee shall only use acetone or other solvents that do not contain VOC to clean all tools, buckets, and equipment associated with operations performed at the facility. [Consent Agreement 01-05-AP (9)]
- b. Styrene shall be used only for SCRIMP®, hand and spray lay-up, and gel coat applications in the manufacture of fiberglass products. [Air Toxics Approval No. 1525/99(B)(1)] **[Not Federally Enforceable]**

3. Recordkeeping Requirements

- a. The permittee shall maintain the following records on an annual basis: [Air Toxics Approval No. 1525/99(C)(1)] **[Not Federally Enforceable]**
 - (1) The amount of styrene-containing resin that is purchased. [Air Toxics Approval No. 1525/99(C)(1)(a)] **[Not Federally Enforceable]**
 - (2) The amount of styrene-containing resin that is used in the SCRIMP®, hand and spray lay-up, and gel coat applications. [Air Toxics Approval No. 1525/99(C)(1)(b)] **[Not Federally Enforceable]**
 - (3) Estimates of the amount of styrene emitted to the atmosphere using the emission factors contained in the EPA Unified Emission Factors or other emission factors that are specific to the company's production process, with approval from the Office of Air Resources. [Air Toxics Approval No. 1525/99(C)(1)(c)] **[Not Federally Enforceable]**

4. Reporting Requirements

- a. The permittee shall submit the annual styrene emission estimates as part of its annual air pollution inventory report. [Air Toxics Approval No. 1525/99(D)(2)] **[Not Federally Enforceable]**

5. Other Requirements

- a. The permittee is subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" [as indicated in Table 8 to Subpart VVVV of 40 CFR 63] and 40 CFR 63, Subpart VVVV, National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing. Compliance with all applicable provisions therein is required, unless otherwise stated in this permit. The permittee must comply with the standards in Subpart VVVV by August 22, 2004. [40 CFR 63.5695, 40 CFR 63.5773]

- b. The permittee is subject to the requirements of 40 CFR 63.1-15, Subpart A, "General Provisions" [as indicated in Table 15 to Subpart WWWW of 40 CFR 63] and 40 CFR 63, Subpart WWWW, National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production. Compliance with all applicable provisions therein is required, unless otherwise stated in this permit. The permittee must comply with the standards in Subpart WWWW by April 21, 2006. [40 CFR 63.5800, 40 CFR 63.5925]

SECTION II. GENERAL CONDITIONS

A. Annual Emissions Fee Payment

The permittee shall pay an annual emissions fee as established in Air Pollution Control Regulation No. 28 "Operating Permit Fees". [29.6.8(d)]

B. Permit Renewal and Expiration

This permit is issued for a fixed term of 5 years. The permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least 12 months prior to the date of permit expiration. Upon receipt of a complete and timely application for renewal, this source may continue to operate subject to final action by the Office of Air Resources on the renewal application. In such an event, the permit shield in Condition II.Y of this permit shall extend beyond the original permit term until renewal. This protection shall cease to apply if, subsequent to a completeness determination, the applicant fails to submit by the deadline specified in writing by the Office of Air Resources any additional information identified as being needed to process the application. The application for renewal shall include the current permit number, description of permit revisions and off-permit changes that occurred during the permit term, and any applicable requirements that were promulgated and not incorporated into the permit during the permit term. [29.6.8(a),29.4.2(c), 29.4.6]

C. Transfer of Ownership or Operation

This permit is nontransferable by the permittee. Future owners and operators must obtain a new operating permit from the Office of Air Resources. A change in ownership or operational control of this source is treated as an administrative permit amendment if no other change in this permit is necessary and provided that a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the Office of Air Resources. [29.10.1(a)(4)]

D. Property Rights

This permit does not convey any property rights of any sort, or any exclusive privilege. [29.6.8(c)(4)]

E. Submissions

1. Reports, test data, monitoring data, notifications, and requests for renewal shall be submitted to :

RIDEM - Office Air Resources
Compliance Assurance Section
235 Promenade St. Room 230
Providence, RI 02908

2. Any records, compliance certifications and monitoring data required by the provisions of this permit to be submitted to USEPA shall be sent to:

USEPA Region I
Office of Environmental Stewardship
Director, Air Compliance Program
Attn: Air Compliance Clerk
One Congress St. Suite 1100 (SEA)
Boston, MA 02114 - 2023

3. Any document submitted shall be certified as being true, accurate, and complete by a responsible official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

F. Inspection and Entry

1. Employees of the Office of Air Resources and its authorized representatives shall be allowed to enter this facility at all reasonable times for the purpose of:
 - a. having access to and copying at reasonable times any records that must be kept under the conditions of this permit;
 - b. inspecting at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit; and
 - c. sampling or monitoring, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or other applicable requirements.[29.6.8(f)(1-4)]

Nothing in this condition shall limit the ability of USEPA to inspect or enter the premises of the permittee under Section 114 or other provisions of the Clean Air Act.

G. Compliance

1. The permittee must comply with all conditions of this permit. Any noncompliance with a federally enforceable permit condition constitutes a violation of the Clean Air Act and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. Any noncompliance with a permit condition designated as state only enforceable constitutes a violation of state rules only and is grounds for enforcement action, for permit termination, revocation and reissuance or modification, or for denial of a permit renewal application. [29.6.8(c)(1)]
2. For each unit at the facility for which an applicable requirement becomes effective

during the permit term, the permittee shall meet such requirements on a timely basis unless a more detailed schedule is expressly required by the applicable requirement. [29.6.5(a)]

3. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [29.6.8(c)(2)]

H. Excess Emissions Due to an Emergency

As the term is used in this condition an "emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of this source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes this source to exceed a technology-based emission limitation under this permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error. [29.6.11(b)]

Technology-based emission limits are those established on the basis of emission reductions achievable with various control measures or process changes (e.g., a new source performance standard) rather than those established to attain a health based air quality standard.

The permittee may seek to establish that noncompliance with a technology-based emission limitation under this permit was due to an emergency. To do so, the permittee shall demonstrate the affirmative defense of emergency through properly signed, contemporaneous operating logs, or other relevant evidence that: [29.6.11(a) & 29.6.11(c)]

1. an emergency occurred and that the permittee can identify the cause(s) of the emergency; [29.6.11(c)(1)]
2. the permitted facility was at the time being properly operated; [29.6.11(c)(2)]
3. during the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements in this permit; and [29.6.11(c)(3)]
4. the permittee submitted notice of the emergency to the Office of Air Resources within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. This notice fulfills the requirements of Condition II.AA.3 of this permit. [29.6.11(c)(4)]

The permittee shall have the burden of proof in seeking to establish the occurrence of an emergency. [29.6.11(d)]

I. Duty to Provide Information

The permittee shall furnish to the Office of Air Resources, within a reasonable time, any pertinent information that the Office of Air Resources may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Office of Air Resources copies of records that the permittee is required to keep by this permit, or for information claimed to be confidential, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality. [29.6.8(c)(5)]

J. Duty to Supplement

The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the Office of Air Resources. The permittee shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete renewal application was submitted but prior to release of a draft permit. [29.5.4]

K. Reopening for Cause

The Office of Air Resources will reopen and revise this permit as necessary to remedy deficiencies in the following circumstances:

1. Additional requirements under the Clean Air Act become applicable to a major source 3 or more years prior to the expiration date of this permit. Such a reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the expiration date of this permit, unless this permit or any of its terms and conditions has been extended. [29.6.13(a)]
2. The Office of Air Resources or the Administrator determines that this permit contains a material mistake or inaccurate statements were made in establishing the emissions standards or other terms or conditions of this permit. [29.6.13(c)]
3. The Office of Air Resources or the Administrator determines that the permit must be revised or revoked to assure compliance with the applicable requirements. [29.6.13(d)]

Reopenings shall not be initiated before a notice of intent to reopen is provided to the permittee by the Office of Air Resources at least 30 days in advance of the date that this permit is to be reopened, except that the Office of Air Resources may provide a shorter time period (but not less than 5 days) in the case of an emergency. [29.9.5(b)]

Proceedings to reopen and issue this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for which cause to reopen exists. Such reopening shall be made as expeditiously as practicable. [29.9.5(a)]
All permit conditions remain in effect until such time as the Office of Air Resources takes

final action. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition. [§70.6(a)(6)(iii)]

L. Severability Clause

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby. [29.6.8(b)]

M. Off-Permit Changes

1. The permittee is allowed to make certain changes that are not addressed or prohibited by this permit without a permit revision, provided that the following conditions are met: [29.11.2(a)]
 - a. Each such change shall not violate any term or condition of this permit. [29.11.2(b)]
 - b. Each change shall comply with all applicable requirements. [29.11.2(b)]
 - c. Changes under this provision may not include changes or activities subject to any requirement under Title IV or modifications under any provision of Title I of the Clean Air Act. [29.11.2(a)]
 - d. Before the permit change is made, the permittee must provide contemporaneous written notice to the Office of Air Resources and the USEPA Region I, except for changes that qualify as insignificant activities in Appendix A of APC Regulation No. 29. This notice shall describe each change, including the date, and change in emissions, pollutants emitted, and any applicable requirement that would apply as a result of the change. [29.11.2(c)]
 - e. The permit shield does not apply to changes made under this provision. [29.11.2(d)]
 - f. The permittee shall keep a record describing changes made at the stationary source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under this permit, and the emissions resulting from those changes, including any other data necessary to show compliance with applicable ambient air quality standards. The record shall reside at the permittee's facility. [29.11.2(e)]
2. Changes made pursuant to this provision shall not be exempt from the requirement to

obtain a minor source permit pursuant to the requirements of Air Pollution Control Regulation No. 9, if applicable. [29.11.2(a)]

3. Changes made pursuant to this provision shall be incorporated into this permit at the time of renewal. [29.11.2(f)]

N. Section 502(b)(10) Changes

1. The permittee is allowed to make changes within this permitted facility that contravene the specific terms of this permit without applying for a permit revision, provided the changes do not exceed the emissions allowable under this permit, whether expressed therein as a rate of emissions or in terms of total emissions and are not Title I modifications. This class of changes does not include:
 - a. changes that would violate applicable requirements; or
 - b. changes to federally-enforceable permit terms or conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements. [29.11.1(a), 29.1.36]
2. The permittee shall provide written notice to the Office of Air Resources and the USEPA Region I of any change made under this provision. The notice must be received by the Office of Air Resources no later than fourteen (14) days in advance of the proposed changes. The notice shall include information describing the nature of the change, the effect of the change on the emission of any air contaminant, the scheduled completion date of the planned change and identify any permit terms or conditions that are no longer applicable as a result of the change. The permittee shall attach each notice to its copy of this permit. [29.11.1(a)(1), 29.11.1(a)(2)]
3. The permittee shall be allowed to make such change proposed in its notice the day following the last day of the advance notice described in paragraph 2 if the Office of Air Resources has not responded nor objected to the proposed change on or before that day. [29.11.1(b)]
4. Any permit shield provided in this permit does not apply to changes made under this provision. If subsequent changes cause the permittee's operations and emissions to revert to those anticipated in this permit, the permittee resumes compliance with the terms and conditions of the permit, and has provided the Office of Air Resources and USEPA with a minimum of fourteen (14) days advance notice of such changes in accordance with the provisions of paragraph 2, the permit shield shall be reinstated in accordance with terms and conditions stated in this permit. [29.11.1(c)]
5. Changes made pursuant to this provision shall be incorporated into the operating permit at the time of renewal. [29.11.1(d)]

O. Emissions Trading

No permit revision shall be required under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit. [29.6.6(a)]

P. Emission of Air Contaminants Detrimental to Person or Property

The permittee shall not emit any air contaminant which either alone or in connection with other emissions, by reason of their concentration or duration, may be injurious to human, plant or animal life, or cause damage to property or which unreasonably interferes with the enjoyment of life or property. [7.1]

Q. Odors

1. The permittee shall not emit or cause to be emitted into the atmosphere any air contaminant or combination of air contaminants which creates an objectionable odor beyond the property line of this facility. [17.1]
2. A staff member of the Office of Air Resources shall determine by personal observation if an odor is objectionable, taking into account its nature, concentration, location, duration and source. [17.2]

R. Visible Emissions

1. Except as may be specified in other provisions of this permit, the permittee shall not emit into the atmosphere, from any emission unit, any air contaminant, for a period or periods aggregating more than three minutes in any one hour, which is greater than or equal to 20 percent opacity. [1.2] Where the presence of uncombined water is the only reason for failure to meet this requirement, such failure shall not be a violation of this permit. [1.4]
2. Tests for determining compliance with the opacity limitations specified in this permit shall be performed per 40 CFR 60, Appendix A, Method 9. Additionally, all observers must qualify as per 40 CFR 60, Appendix A, Method 9. [1.3.1, 1.3.2]

S. Open Fires

It shall be unlawful for the permittee to burn any material in an open fire, except as provided in APC Regulation No. 4, Section 4.3. [4.2]

T. Construction Permits

It shall be unlawful for the permittee to construct, install, modify or cause the construction, installation or modification of any stationary source subject to the provisions of APC Regulation No. 9 without obtaining either a minor source permit or a major source permit from the Director. [9.2.1]

U. Sulfur in Fuel

1. Except as may be specified in other provisions of this permit, unless the Director declares in writing after a hearing that a shortage of low sulfur fuel exists, the permittee shall not use or store fuel oil with a sulfur content greater than 1.0% by weight, except for use with marine vessels or motor vehicles. [8.2, 8.3.6]
2. Compliance with the sulfur in fuel limitations contained in this section shall be determined by the procedures listed below or by another method deemed equivalent by the Director and USEPA: [29.6.3(b)]
 - a. For each shipment of fuel oil, the permittee shall obtain a certification from the fuel supplier which contains:
 - (1) For distillate fuel oil:
 - (a) The name of the supplier;
 - (b) A statement that the oil complies with the specification for fuel oil number 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396-78 "Standard Specification for Fuel Oils."
 - (2) For residual fuel oil:
 - (a) The name of the oil supplier;
 - (b) The nitrogen and sulfur content of the oil and the ASTM method used to determine the nitrogen and sulfur content of the oil,
 - (c) The location of the oil when the sample was drawn for analysis to determine the nitrogen and sulfur content of the oil, specifically including whether the oil was sampled as delivered to the permittee or whether the sample was drawn from oil in storage at the oil suppliers/refiners facility or another location.
 - (3) For diesel fuel oil:
 - (a) the name of the supplier
 - a statement that the oil complies with the specification for diesel fuel oil grade 1-D or 2-D, as defined by the American Society for Testing and Materials in ASTM D975-03 "Standard Specification for Fuel Oils." [29.6.3]

- b. As an alternative to fuel oil certification, the permittee may elect to sample the fuel oil prior to combustion. Sampling and analysis shall be conducted after each new shipment of fuel oil is received. Samples shall be collected from the fuel tank immediately after the fuel tank is filled and before any fuel oil is combusted. [8.4.1(b), 29.6.3(b)]
- c. All fuel oil must be sampled and analyzed according to ASTM methods which have the prior approval of or are required by the Office of Air Resources. [8.4.1(b), 29.6.3(b)]
- d. Copies of the fuel oil analysis sheets shall be maintained at the facility and be made accessible for review by the Office of Air Resources or designated personnel of the Office of Air Resources and USEPA. These records shall include a certified statement, signed by a responsible official, that the records represent all of the fuel combusted during each quarter. [29.6.3(b)]
- e. The Director may require, under his supervision, the collection of fossil fuel samples for the purpose of determining compliance with the sulfur limitations in this permit. Sampling and analysis of fossil fuels under Condition II.U.2 of this permit shall not limit the collection of samples under this condition. [8.4.3]

V. Air Pollution Episodes

Conditions justifying the proclamation of an air pollution alert, air pollution warning or air pollution emergency shall be deemed to exist whenever the Director determines that the accumulation of air pollutants in any place is attaining or has attained levels which could, if such levels are sustained or exceeded, lead to a substantial threat to the health of persons. If the governor declares an air pollution alert, air pollution warning or air pollution emergency, the permittee shall comply with the applicable requirements contained in APC Regulation No. 10. [10.1]

W. Fugitive Dust

The permittee shall not cause or permit any materials, including but not limited to sand, gravel, soil, aggregate and any other organic or inorganic solid matter capable of releasing dust, to be handled, transported, mined, quarried, stored or otherwise utilized in any way so as to cause airborne particulate matter to travel beyond the property line of the facility without taking adequate precautions to prevent particulate matter from becoming airborne. Such precaution shall be in accordance with good industrial practice as determined by the Director and/or shall be other reasonable fugitive dust prevention measures as determined by the Director. [5.2]

X. Compliance Certifications

- 1. The permittee shall submit a certification of compliance with permit terms and conditions annually. [29.6.5(c)(1)]

2. The certification shall describe the following:
 - a. the permit term or condition that is the basis of the certification; [29.6.5(c)(3)a]
 - b. the current compliance status; [29.6.5(c)(3)b]
 - c. whether compliance was continuous or intermittent; and [29.6.5(c)(3)c]
 - d. the methods used for determining compliance, currently and over the reporting period. [29.6.5(c)(3)d]
3. All compliance certifications shall be submitted to the Office of Air Resources and to the USEPA Region I. It shall be submitted within 60 days following the end of the reporting period which is the calendar year unless otherwise specified. [29.6.5(c)(4)]
4. All compliance certifications shall be certified as being true, accurate, and complete by a responsible corporate official. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the certification are true, accurate, and complete. [29.6.8(e)]

Y. Permit Shield

1. Compliance with the terms and conditions of this permit shall be deemed compliance with all requirements applicable to the source in the following regulations: Consent Agreement 01-05-AP, Air Toxics Approval No. 1525/99, 40 CFR 63.5695 and 40 CFR 63.5773 of Subpart VVVV, and 40 CFR 63.5800 and 40 CFR 63.5925 of Subpart WWW, and RI APC Regulation Nos. 1, 4, 5, 7, 8, 9, 10, 14, 15, 16, 17, 22, 28, 29, and 35. [29.6.12(a)(1)]
2. The Office of Air Resources has determined that units P001, P002, P003, P004, P005, P007, P008, P009, P010, P011, P012, P013, P014, P015, P016, P017 and P018, are not subject to RI APC Regulation Nos. 2, 3, 6, 11, 12, 13, 19, 20, 21, 23, 24, 25, 26, 27, 30, 31, 32, 33, 36, 39 and 41. [29.6.12(a)(2)]
3. Nothing in this permit shall alter or affect the following:
 - a. the provisions of Section 303 of the Clean Air Act, including the authority of USEPA under that Section. [29.6.12(c)(1)]
 - b. the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [29.6.12(c)(2)]
 - c. the applicable requirements of the acid rain program consistent with Section 408 of the Clean Air Act. [29.6.12(c)(3)]
 - d. the ability of the USEPA to obtain information under Section 114 of the Act.

[29.6.12(c)(4)]

4. If it is determined that this operating permit was issued based on inaccurate or incomplete information provided by the permittee, this permit shield shall be void as to the portions of this permit which are affected, directly or indirectly, by the inaccurate or incomplete information. [29.6.12(d)]

Z. Recordkeeping

1. The permittee shall, at the request of the Director, maintain records of and provide data on operational processes, fuel usage, raw materials, stack dimensions, exhaust gas flow rates and temperatures, emissions of air contaminants, steam or hot water generator capacities, types of equipment producing air contaminants and air pollution control systems or other data that may be necessary to determine if the facility is in compliance with air pollution control regulations. [14.2.1]
2. All records and supporting information required by this permit shall be maintained at the permittee's 373 Market Street Facility for a period of at least 5 years from the date of sample monitoring, measurement, report or application, and shall be made available to representatives of the Office of Air Resources and USEPA upon request. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. [14.2.1, 29.6.4(a)(2), Consent Agreement 01-05-AP(11), 35.7.1, 35.7.4]
3. The permittee shall keep records of required monitoring information that include the following:
 - a. The date, place and time of sampling or measurements; [29.6.4(a)(1)a]
 - b. The date(s) analyses were performed; [29.6.4(a)(1)b]
 - c. The company or entity that performed the analyses; [29.6.4(a)(1)c]
 - d. The analytical techniques or methods used; [29.6.4(a)(1)d]
 - e. The results of such analyses; and [29.6.4(a)(1)e]
 - f. The operating conditions as existing at the time of sampling or measurement. [29.6.4(a)(1)f]

AA. Reporting

1. The information recorded by the permittee pursuant to Condition II.Z.1 of this permit shall be summarized and reported at least annually to the Director. It shall be submitted by April 15th unless otherwise specified. [14.2.2] Information submitted pursuant to this condition will be correlated with applicable emission limitations and

other applicable emissions information and will be available for public inspection. [14.2.3]

2. The permittee shall submit reports of any required monitoring for each semi annual period ending 30 June and 31 December of every calendar year. These reports shall be due to the Office of Air Resources no later than forty-five (45) days after the end of the reporting period. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with Condition II.X.4. [29.6.4(b)(1)]
3. Deviations from permit conditions, including those attributable to upset conditions as defined in this permit, shall be reported, in writing, within five (5) business days of the deviation, to the Office of Air Resources. A copy of any such report shall be sent to the USEPA Region I. Reports shall describe the probable cause of such deviations, and any corrective actions or preventive measures taken. Each report must be certified by a responsible official consistent with Condition II.X.4. of this permit. [29.6.4(b)(2)]
4. The Office of Air Resources shall be notified in writing of any planned physical change or operational change to the emissions units and control devices identified in this permit. Such notification shall include information describing the nature of the change, information describing the effect of the change on the emissions of air contaminants and the scheduled completion date of the planned change. Any change which may result in an increased emission rate of any air contaminant shall be subject to approval of the Office of Air Resources. [Air Toxics Approval No. 1525/99(D)(1)(a-c)]

BB. Credible Evidence

For the purpose of submitting compliance certifications or establishing whether or not the permittee has violated or is in violation of any provision of this permit, the methods used in this permit shall be used, as applicable. However, nothing in this permit shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether the permittee would have been in compliance with applicable requirements if the appropriate performance or compliance test procedures or methods had been performed. [40 CFR 51.212(c), 51.12(c), 52.33(a)]

CC. Emission Statements

1. The permittee shall submit, annually, an emission statement which includes information for both VOC and NO_x if facility wide actual emissions are 25 tons per year of either pollutant. Emission statements shall be submitted to the Director on April 15th of each year unless otherwise specified. The permittee may apply to the Office of Air Resources to be allowed to discontinue submitting annual emission statements if actual emissions at the facility decrease to below 10 tons per year as a result of a permanent process change. [14.3.1] The permittee shall submit this emission statement in a format approved by the Office of Air Resources. The

emission statement shall contain the following information: [14.3.2]

- a. A certification that the information contained in the emission statement is accurate and complete to the best knowledge of the certifying individual.
- b. The full name, title, signature, date of signature, and telephone number of the certifying individual.
- c. Facility identification information, including the full name, physical location, mailing address, latitude, longitude, and four digit SIC code(s).
- c. Process data pertaining to each process emitting VOC and/or NO_x, including:
 - (1) Annual and typical ozone season daily fuel use,
 - (2) Annual and typical ozone season daily process rate(s), and
 - (3) Process throughput while air pollution control equipment was not in operation.
- e. Operating data pertaining to each process emitting VOC and/or NO_x during the reporting year, including:
 - (1) Percentage annual throughput,
 - (2) Average hours of operation per day during the reporting year and on a typical ozone season day,
 - (3) Average number of days of operation per week during the reporting year and during a typical ozone season week, and
 - (4) Weeks of operation during the reporting year and during the peak ozone season.
- f. Control equipment information, including:
 - (1) Specific primary and secondary control equipment for each process emitting VOC and/or NO_x,
 - (2) Current overall control efficiency for each piece of control equipment (indicated by percent capture and percent destruction or removal), and
 - (3) Control equipment downtime during the reporting year and during the peak ozone season.
- g. Emissions information, including:
 - (1) Actual annual and typical ozone season daily emissions of VOC and NO_x for each process. Emissions should be reported in tons per year and in pounds per day.
 - (2) A description of the emission calculation method and, if applicable, emission factor(s) used, and

(3) The calendar year for which emissions are reported.

h. Any additional information required by the Director to document the facility's emission statements.

DD. Miscellaneous Conditions

1. This permit may be modified, revoked, reopened, reissued or terminated for cause. The filing of a request, by the permittee, for a permit modification, revocation and reissuance or termination or of a notification of planned changes or anticipated noncompliance does not release the permittee from the conditions of this permit. [29.6.8(c)(3)]
2. Any application for a permit revision need only submit information related to the proposed change. [29.4.3(c)]
3. Terms not otherwise defined in this permit shall have the meaning given to such terms in 40 CFR 63.2, the Clean Air Act as amended in 1990 or the referenced regulation as applicable.
4. Where more than one condition in this permit applies to an emission unit and/or the entire facility, the most stringent condition shall apply.

SECTION III. SPECIAL CONDITIONS

A. Ozone-depleting Substances

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

1. The permittee shall comply with the standards for labeling of products using ozone-depleting substances pursuant to 40 CFR Part 82, Subpart E:
 - a. All containers containing a class I or class II substance that is stored or transported, all products containing a class I substance, and all products directly manufactured with a class I substance must bear the required warning statement if it is being introduced into interstate commerce pursuant to 40 CFR 82.106.
 - b. The placement of the required warning statement must comply with the requirements of 40 CFR 82.108.
 - c. The form of the label bearing the required warning statement must comply with the requirements of 40 CFR 82.110.
 - d. No person may modify, remove or interfere with the required warning statement except as described in 40 CFR 82.112.
2. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR Part 82, Subpart F:
 - a. Persons opening appliances for maintenance, service, repair or disposal must comply with the required practices of 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair or disposal of appliances must comply with the standards for recycling and recovery equipment of 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs and MVAC-like appliances (as defined in 40 CFR 82.152) must comply with recordkeeping requirements of 40 CFR 82.166.

- e. Persons owning commercial or industrial process refrigeration equipment must comply with the leak repair equipment requirements of 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant must keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
- 3. If the permittee manufactures, transforms, imports or exports a class I or class II substance, the permittee is subject to all the requirements as specified in 40 CFR Part 82, Subpart A, "Production and Consumption Controls".
 - 4. The permittee shall be allowed to switch from any ozone-depleting substance to any alternative that is listed in the Significant New Alternatives Program (SNAP) promulgated pursuant to 40 CFR Part 82, Subpart G, "Significant New Alternatives Policy Program".

B. Prevention of Accidental Releases

This section contains air pollution control requirements that are applicable to this facility, and the United States Environmental Protection Agency enforces these requirements.

Your facility is subject to the requirements of the General Duty Clause, under 112(r)(1) of the CAA Amendments of 1990. This clause specifies that owners or operators of stationary sources producing, processing, handling or storing a chemical in any quantity listed in 40 CFR Part 68 or any other extremely hazardous substance have a general duty to identify hazards associated with these substances and to design, operate and maintain a safe facility, in order to prevent releases and to minimize the consequences of accidental releases which may occur.